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Attorney's Docket No. 99-1326
Client's Docket No. DLL692

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09/666921 Pro
09/21/00

PATENT Utility APPLICATION COVER SHEET

BOX PATENT APPLICATION
HONORABLE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D. C. 20231

Sir:

Transmitted herewith for filing is the utility patent application of:

INVENTOR: LUCY LIVINGSTON

FOR: COMBINATION PILLOW AND TOTE BAG

Enclosed are:

- Postcard for receipt stamp and return.
- Applicant's Check for **\$345.00**, covering fees calculated below.
- Specification with Claims, Abstract, & Declaration & Power of Attorney
- A verified statement to establish small entity status under 37C.F.R § 1.9 and 37 C.F.R. § 1.27.
- 4 sheets of drawing.
- Cover Sheet & Assignment to: _____
- Information Disclosure Statement.

The filing fee has been calculated as shown below:

	Col. 1	Col. 2	SMALL ENTITY
FOR:	No. Filed	No. Extra	RATE
BASIC FEE			\$345
TOTAL CLAIMS	8	-20= 0	x09 0
INDEPENDENT CLAIMS	2	-3= 0	x39 0
MULTIPLE DEPENDENT CLAIMS PRESENTED			+125
		TOTAL	\$345

DEPOSIT ACCOUNT AUTHORIZATION

The Commissioner is hereby authorized to charge any fees, which are not otherwise submitted and which may be required under 37 CFR 1.17 during the entire pendency of this application, to the Deposit Account # **11-0020**.


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September 21, 2000

Date

Attorney's Docket No. 99-1326
Client's Docket No. DLL692

In the United States Patent and Trademark Office

In re Application of:
LUCY LIVINGSTON

Filed: **Utility PATENT APPLICATION**

For: **COMBINATION PILLOW AND TOTE BAG**

Assistant Commissioner for Patents and Trademarks
Washington, D.C. 20231

Date of Deposit: September 21, 2000

I hereby certify that the attached U.S. Patent Application, informal drawings, transmittal letter, priority document, and/or Preliminary Amendment are being deposited with the United States Postal Service under Express Mail service **EL493061765US** on the date indicated above and is addressed to the Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.


Randi Vander Wilt

September 21, 2000
Date

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Attorney's Docket No. K&A 99-1326
Client's Docket No. DLL692

APPLICATION

FOR UNITED STATES LETTERS PATENT

SPECIFICATION

TO ALL WHOM IT MAY CONCERN:

BE IT KNOWN THAT I, **LUCY J. LIVINGSTON**, a citizen of
UNITED STATES OF AMERICA, have invented a new and useful
COMBINATION PILLOW AND TOTE BAG of which the
following is a specification:

COMBINATION PILLOW AND TOTE BAG

5

BACKGROUND OF THE INVENTION

Field of the Invention

10 The present invention relates to tote bags and more particularly pertains to a new combination pillow and tote bag for holding a pillow and other items for easy carrying and transportation.

Description of the Prior Art

15 The use of tote bags is known in the prior art. More specifically, tote bags heretofore devised and utilized are known to consist basically of familiar, expected and obvious structural configurations, notwithstanding the myriad of designs encompassed by the crowded prior art which have been developed for the fulfillment of countless objectives and requirements.

20 Known prior art includes U.S. Patent No. 5,119,519; U.S. Patent No. 4,963,003; U.S. Patent No. 4,535,878; U.S. Patent No. 5,778,468; U.S. Patent No. 4,597,605; and U.S. Des. Patent No. 366,800.

While these devices fulfill their respective, particular objectives and requirements, the aforementioned patents do not disclose a new combination pillow and tote bag. The inventive device includes a tote portion. The tote portion comprises a back panel and a front panel. The front and back panels each have a top edge, a bottom edge and a pair of side edges. The bottom edge of the front panel is securely attached to the bottom edge of the back panel. Each of a pair of side panels is securely attached to one of side edges of each of the front and back panels such that a bag is defined. A carrying means for carrying the tote portion comprises a strap having a pair of ends each securely attached to the tote portion. A pillow portion may be removably inserted in the tote portion.

In these respects, the combination pillow and tote bag according to the present invention substantially departs from the conventional concepts and designs of the prior art, and in so doing provides an apparatus primarily developed for the purpose of holding a pillow and other items for easy carrying and transportation.

SUMMARY OF THE INVENTION

In view of the foregoing disadvantages inherent in the known types of tote bags now present in the prior art, the present invention provides a new combination pillow and tote bag construction wherein the same can be utilized for holding a pillow and other items for easy carrying and transportation.

The general purpose of the present invention, which will be described subsequently in greater detail, is to provide a new combination pillow and tote bag apparatus and method which has

many of the advantages of the tote bags mentioned heretofore and many novel features that result in a new combination pillow and tote bag which is not anticipated, rendered obvious, suggested, or even implied by any of the prior art tote bags, either alone or in any
5 combination thereof.

To attain this, the present invention generally comprises a tote portion. The tote portion comprises a back panel and a front panel. The front and back panels each have a top edge, a bottom edge and a pair of side edges. The bottom edge of the front panel is securely attached to the bottom edge of the back panel. Each of a pair of side panels is securely attached to one of side edges of each of the front and back panels such that a bag is defined. A carrying means for carrying the tote portion comprises a strap having a pair of ends each securely attached to the tote portion. A
10 pillow portion may be removably inserted in the tote portion.
15

There has thus been outlined, rather broadly, the more important features of the invention in order that the detailed
20 description thereof that follows may be better understood, and in order that the present contribution to the art may be better appreciated. There are additional features of the invention that will be described hereinafter and which will form the subject matter of the claims appended hereto.

25 In this respect, before explaining at least one embodiment of the invention in detail, it is to be understood that the invention is not limited in its application to the details of construction and to the arrangements of the components set forth in the following
30 description or illustrated in the drawings. The invention is capable of other embodiments and of being practiced and carried out in

various ways. Also, it is to be understood that the phraseology and terminology employed herein are for the purpose of description and should not be regarded as limiting.

5 As such, those skilled in the art will appreciate that the conception, upon which this disclosure is based, may readily be utilized as a basis for the designing of other structures, methods and systems for carrying out the several purposes of the present invention. It is important, therefore, that the claims be regarded as
10 including such equivalent constructions insofar as they do not depart from the spirit and scope of the present invention.

Further, the purpose of the foregoing abstract is to enable the U.S. Patent and Trademark Office and the public generally, and especially the scientists, engineers and practitioners in the art who are not familiar with patent or legal terms or phraseology, to determine quickly from a cursory inspection the nature and essence of the technical disclosure of the application. The abstract is neither intended to define the invention of the application, which is measured by the claims, nor is it intended to be limiting as to the scope of the invention in any way.
15
20

It is therefore an object of the present invention to provide a new combination pillow and tote bag apparatus and method which
25 has many of the advantages of the tote bags mentioned heretofore and many novel features that result in a new combination pillow and tote bag which is not anticipated, rendered obvious, suggested, or even implied by any of the prior art tote bags, either alone or in any combination thereof.

It is another object of the present invention to provide a new combination pillow and tote bag which may be easily and efficiently manufactured and marketed.

5 It is a further object of the present invention to provide a new combination pillow and tote bag which is of a durable and reliable construction.

An even further object of the present invention is to provide a
10 new combination pillow and tote bag which is susceptible of a low cost of manufacture with regard to both materials and labor, and which accordingly is then susceptible of low prices of sale to the consuming public, thereby making such combination pillow and tote bag economically available to the buying public.

15 Still yet another object of the present invention is to provide a new combination pillow and tote bag which provides in the apparatuses and methods of the prior art some of the advantages thereof, while simultaneously overcoming some of the
20 disadvantages normally associated therewith.

Still another object of the present invention is to provide a new combination pillow and tote bag for holding a pillow and other items for easy carrying and transportation.

25 Yet another object of the present invention is to provide a new combination pillow and tote bag which includes a tote portion. The tote portion comprises a back panel and a front panel. The front and back panels each have a top edge, a bottom edge and a
30 pair of side edges. The bottom edge of the front panel is securely attached to the bottom edge of the back panel. Each of a pair of side panels is securely attached to one of side edges of each of the

front and back panels such that a bag is defined. A carrying means for carrying the tote portion comprises a strap having a pair of ends each securely attached to the tote portion. A pillow portion may be removably inserted in the tote portion.

5

Still yet another object of the present invention is to provide a new combination pillow and tote bag that allows a user to conveniently carry a pillow and a covering.

10 These together with other objects of the invention, along with the various features of novelty which characterize the invention, are pointed out with particularity in the claims annexed to and forming a part of this disclosure. For a better understanding of the invention, its operating advantages and the specific objects attained by its uses, reference should be made to the accompanying drawings and descriptive matter in which there are illustrated preferred 15 embodiments of the invention.

BRIEF DESCRIPTION OF THE DRAWINGS

20

The invention will be better understood and objects other than those set forth above will become apparent when consideration is given to the following detailed description thereof. Such description makes reference to the annexed drawings wherein:

25

Figure 1 is a schematic side view of a new combination pillow and tote bag according to the present invention.

Figure 2 is a schematic side view of the present invention.

30

Figure 3 is a schematic perspective view of the present invention.

Figure 4 is a schematic perspective view of the covering means of the present invention.

5 Figure 5 is a schematic perspective view of the inside of the front panel of the present invention.

Figure 6 is a schematic perspective view of the present invention.

10 Figure 7 is a schematic cross-sectional perspective view of the present invention.

Figure 8 is a schematic side view of the present invention.

15 **DESCRIPTION OF THE PREFERRED EMBODIMENT**

With reference now to the drawings, and in particular to Figures 1 through 8 thereof, a new combination pillow and tote bag embodying the principles and concepts of the present invention and generally designated by the reference numeral 10 will be described.

As best illustrated in Figures 1 through 8, the combination pillow and tote bag 10 generally includes tote portion 12. The tote portion 12 comprises a back panel 14 and a front panel 16. The front 16 and back 14 panels each have a top edge 17, a bottom edge 18 and a pair of side edges 19. The bottom edge 18 of the front panel 16 is securely attached to the bottom edge 18 of the back panel 14. Each of a pair of side panels 20 is securely attached to one of side edges 19 of each of the front 16 and back 14 panels such that a bag is defined having an opening 21 adjacent to the top edges 17 of the front 16 and back 14 panels. The front 16, back 14 and side panels 20 each comprise a cloth material.

A cover member 22 covers the opening 21 in the tote portion 12. The cover member 22 is securely coupled to the top edge 17 of the back panel 14. The cover member 22 comprises a substantially 5 rectangular panel. In one embodiment, shown in Figure 4, the cover member has a flap 24 securely attached to it to form a pocket. The flap 24 preferably has an opening 26 for removably placing a pillow 40 therein. The flap 24 may also be securely closed once the pillow 40 is therein such that pillow 40 may not be removed.

10

A pocket 28 is securely connected to an outside surface of the cover member 22. The pocket 28 ideally has an opening 30 therein which may be selectively closed using a hook and loop fastening means 32.

15

A carrying means for carrying the tote portion 12 comprises a strap 34. The strap 34 is a flexible elongate member having a first end 35 a second end 36. The first end 35 is securely attached to a first of the side panels 20 and is positioned generally adjacent to the top edges 17 of the front 16 and back 14 panels. The second end 36 of the strap 34 is securely attached to a second of the side panels 20 and is positioned generally adjacent to a bottom edge 18 of the front 16 and back 14 panels. A ring 37 member is pivotally coupled to the second side panel and positioned generally adjacent to the top edges 17 of the front 16 and back 14 panels. The strap 34 is extended through the ring member 37. The ring 37 allows for carrying the tote portion 12 in two different positions as are depicted in Figure 2. Figure 3 shows the strap 34 being used to hang the tote member 12 over the head rest of a car seat.

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25
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An elongate panel 44 has a first edge 46 and a second edge
48. The elongate panel 44 also has a top side 50 and a bottom side
52. The first edge 46 is integrally coupled to the top edge 50 of the
front panel 16. The elongate panel 44 has a length greater than
5 three feet. The elongate panel 44 preferably comprises a cloth
material. The cloth material is ideally a cotton terry cloth material.

An elongate flexible member 60 is securely attached to and
extending between lateral side edges 47 of the elongate panel 44.
10 The elongate flexible member is generally positioned adjacent to
the front panel 16.

A pillow portion 40, comprising a pillow and having a
conventional cushioning material therein, is removably position in
15 the tote portion.

Another embodiment, shown in figure 5, has a flap 54 sewn to
the inner side of the front panel 16. The flap 54 is generally
adjacent to the top edge 17 of the front panel 16 and extends
20 downward less than half of the distance between the top 17 and
bottom 18 edges. The pillow 40 may be placed under the flap 54 to
hold it securely in place.

A third embodiment, shown in figure 8, includes only the
25 pillow portion 40 and the carrying means. The strap 34 of the
carrying means is securely attached to the pillow 40 for easy
carrying of the same.

The preferred use is demonstrated in Figure 6. The elongate
30 panel 44 is rolled up and the elongate panel 44 and pillow 40 are
placed in the tote portion 12 as shown in figure 6. Goods or items

56 may be placed between the rolled up elongate panel 44 and the back panel 14 to use as a conventional tote bag. The covering member 22 is placed over the opening of the tote portion and may be positioned over any item found within the tote portion when the
5 elongate panel 44 is removed. The elongate panel 44 is rolled out, it may be placed over a chair 58. The elongate flexible member is positioned about the top portion of the chair 58 so that the tote portion is in a location for use by the user's head. The person may thus lie upon the panel 44 while using the tote portion 12 and
10 pillow therein for resting their head.

As to a further discussion of the manner of usage and operation of the present invention, the same should be apparent from the above description. Accordingly, no further discussion relating to the manner of usage and operation will be provided.
15

With respect to the above description then, it is to be realized that the optimum dimensional relationships for the parts of the invention, to include variations in size, materials, shape, form,
20 function and manner of operation, assembly and use, are deemed readily apparent and obvious to one skilled in the art, and all equivalent relationships to those illustrated in the drawings and described in the specification are intended to be encompassed by the present invention.

25 Therefore, the foregoing is considered as illustrative only of the principles of the invention. Further, since numerous modifications and changes will readily occur to those skilled in the art, it is not desired to limit the invention to the exact construction
30 and operation shown and described, and accordingly, all suitable

modifications and equivalents may be resorted to, falling within the scope of the invention.

CLAIMS

I claim:

1. A pillow and tote combination device, said device comprising:
 - a tote portion, said tote portion comprising a back panel, and a front panel, said front and back panels each having a top edge, a bottom edge and a pair of side edges, said bottom edge of said front panel being securely attached to said bottom edge of said back panel, each of a pair of side panels being securely attached to one of side edges of each of said front and back panels such that a bag is defined;
 - a carrying means for carrying said tote portion, said carrying means comprising a strap having a pair of ends each securely attached to said tote portion;
 - a pillow portion, wherein said pillow portion may be removably inserted in said tote portion.
2. The pillow and tote combination device as in claim 1, further comprising:
 - a cover member for covering an opening between said top edges of said front and back panels in said tote portion, said cover member being securely coupled to said top edge of said back panel, said cover member comprising a substantially rectangular panel.

3. The pillow and tote combination device as in claim 2, wherein said cover member further comprises:

a flap being fixedly coupled to an inside surface of said cover member, said flap having an opening therein, said opening being generally adjacent to a free edge of said cover member opposite said top edge of said back panel, said cover member and said flap defining a pocket adapted for removably receiving said pillow portion.

4. The pillow and tote combination device as in claim 2, further comprising:

a pocket, said pocket being securely connected to an outside surface of said cover member.

5. The pillow and tote combination device as in claim 2, wherein said carrying means further comprises:

said first end of said strap being securely attached to a first of said side panels and positioned generally adjacent to said top edges of said front and back panels, said second end of said strap being securely attached to a second of said side panels and positioned generally adjacent to a bottom edge of said front and back panels, a ring member being pivotally coupled to said second side

panel and positioned generally adjacent to said top edges of said front and back panel, wherein said strap is extended through said ring member.

6. The pillow and tote combination device as in claim 2, further comprising:

an elongate panel, said elongate panel having a first edge and a second edge, said elongate panel having a top side and a bottom side, said first edge being integrally coupled to said top edge of said front panel, said elongate panel; and

an elongate flexible member, said elongate flexible member being coupled to and extending between lateral side edges of said elongate panel.

7. The pillow and tote combination device as in claim 6, wherein said elongate panel has a length greater than three feet.

8. A pillow and tote combination device, said device comprising:

a tote portion, said tote portion comprising a back panel, and a front panel, said front and back panels each having a

top edge, a bottom edge and a pair of side edges, said bottom edge of said front panel being securely attached to said bottom edge of said back panel, each of a pair of side panels being securely attached to one of side edges of each of said front and back panels such that a bag is defined having an opening adjacent to said top edges of said front and back panels, said front, back and side panels comprising a cloth material;

a cover member for covering said opening in said tote portion, said cover member being securely coupled to said top edge of said back panel, said cover member comprising a substantially rectangular panel;

a pocket, said pocket being securely connected to an outside surface of said cover member;

a carrying means for carrying said tote portion, said carrying means comprising a strap, said strap being a flexible elongate member having a first end a second end, said first end being securely attached to a first of said side panels and positioned generally adjacent to said top edges of said front and back panels, said second end of said strap being securely attached to a second of said side panels and positioned generally adjacent to a bottom edge of said front and back panels, a ring member being pivotally coupled to said second side panel and positioned generally adjacent to said top edges of said front and back panel, wherein said strap is extended through said ring member;

an elongate panel, said elongate panel having a first edge and a second edge, said elongate panel having a top side and a bottom side, said first edge being integrally coupled to

said top edge of said front panel, said elongate panel having a length greater than three feet; a pillow portion, said pillow portion comprising a pillow having a cushioning material therein, said pillow being removably positioned in said tote portion; and an elongate flexible member, said elongate flexible member being coupled to and extending between lateral side edges of said elongate panel, said elongate flexible member being generally positioned adjacent to said front panel.

ABSTRACT OF THE DISCLOSURE

- 5 A combination pillow and tote bag for holding a pillow and other items for easy carrying and transportation. The combination pillow and tote bag includes a tote portion. The tote portion comprises a back panel and a front panel. The front and back panels each have a top edge, a bottom edge and a pair of side edges.
- 10 The bottom edge of the front panel is securely attached to the bottom edge of the back panel. Each of a pair of side panels is securely attached to one of side edges of each of the front and back panels such that a bag is defined. A carrying means for carrying the tote portion comprises a strap having a pair of ends each
- 15 securely attached to the tote portion. A pillow portion may be removably inserted in the tote portion.

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

COMBINATION PILLOW AND TOTE BAG

the specification of which is attached hereto.

I further state that I do not know and do not believe that the above-named invention has ever been known or used in the United States before my invention thereof, or patented or described in any printed publication in any country before my invention thereof, or in public use or on sale in the United States more than one year prior to this application; that the invention has not been patented or made the subject of any inventor's certificate in any country foreign to the United States on any application filed by me or my legal representatives or assigns more than one (1) year prior to this application; and that no application for patent or inventor's certificate on the invention has been filed by me or my representatives or assigns in any country foreign to the United States, except as identified below.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment if applicable.

I acknowledge the duty to disclose information to the Patent and Trademark Office all information known to me to be material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

NONE (Number) (Country) (Day/Month/
Year Filed) (Yes) (No)

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States Provisional application(s) listed below:

NONE
(Application No.)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365 (c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NONE _____
(Application No.) (Filing Date) (Status - patented,
pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith: Ivar M. Kaardal, Registration Number 29,812.

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Full Name of Inventor **LUCY J. LIVINGSTON**


Inventor's Signature

Date: September 8, 2000

Residence: **DALLAS, TEXAS**

Citizenship: **UNITED STATES OF AMERICA**

Post Office Address: **1608 DAY STAR DRIVE
DALLAS, TX 75224**

Attorney's Docket No. K&A 99-1326
Client's Docket No. DLL692

Applicant or Patentee: **LUCY J. LIVINGSTON**

Serial or Patent Number:

Filed or Issued:

For:

COMBINATION PILLOW AND TOTE BAG

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled as above and described in:

the specification filed herewith.

[] application serial number , filed

patent no. _____, issued _____.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

[X] no such person, concern, or organization

[] persons, concerns or organizations listed below*

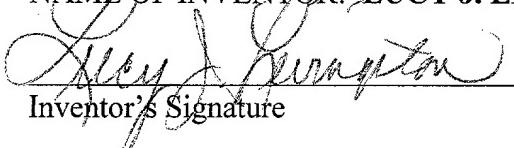
*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME: NOT APPLICABLE [] INDIVIDUAL
ADDRESS: NOT APPLICABLE [] SMALL BUSINESS CONCERN
[] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR: **LUCY J. LIVINGSTON**


Inventor's Signature

Date: September 8, 2008

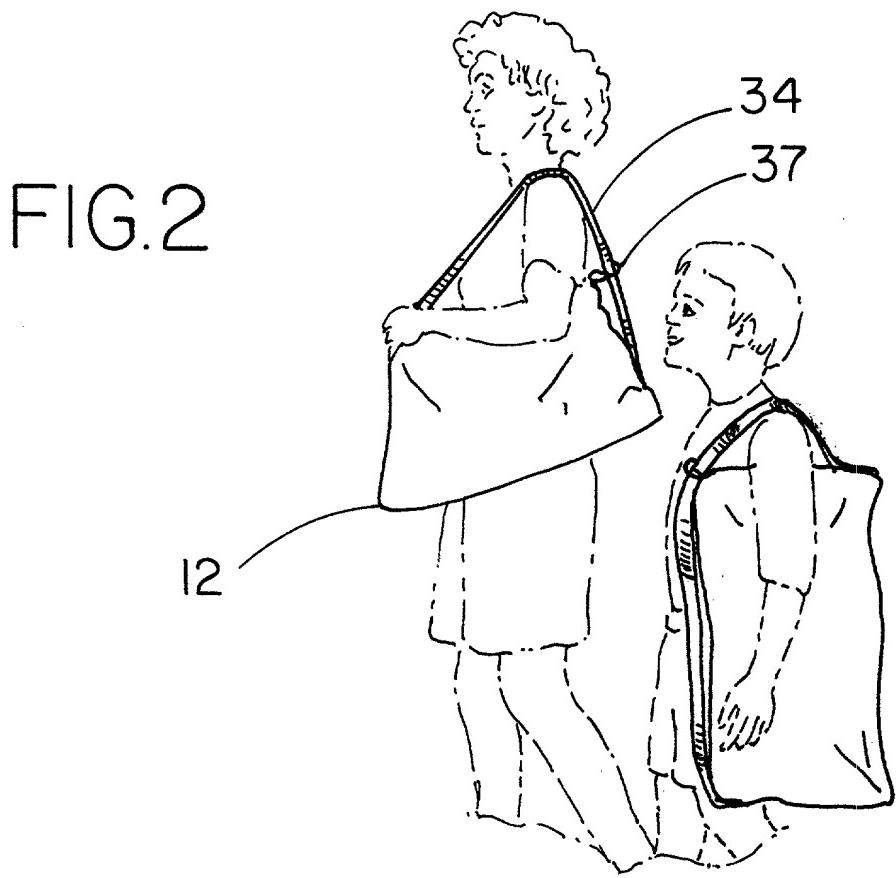
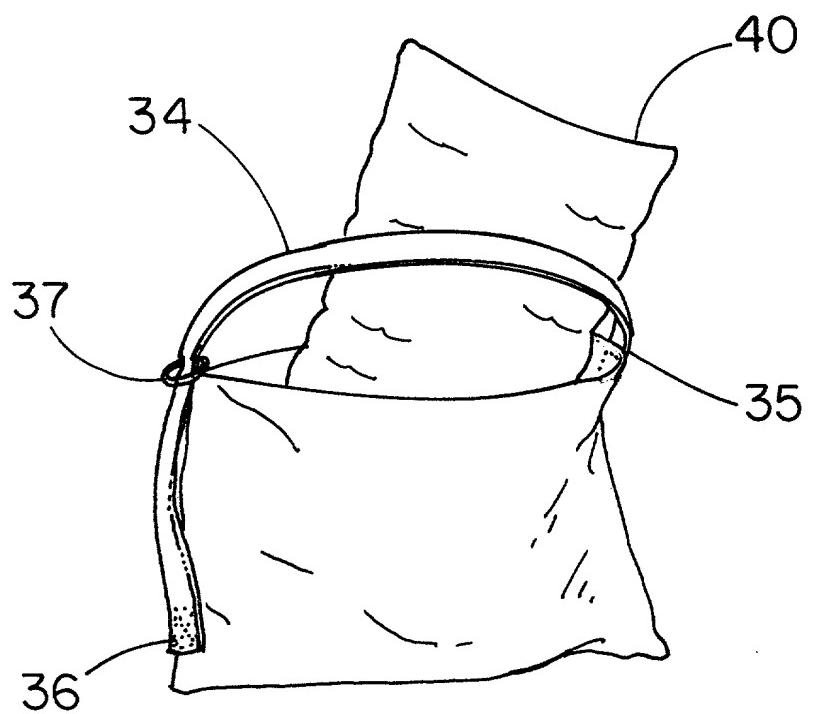


FIG. 3

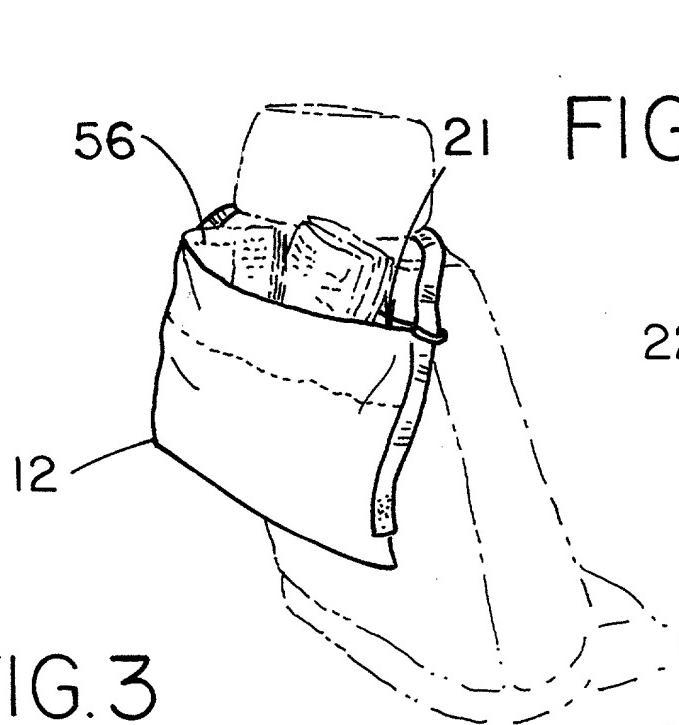


FIG. 5

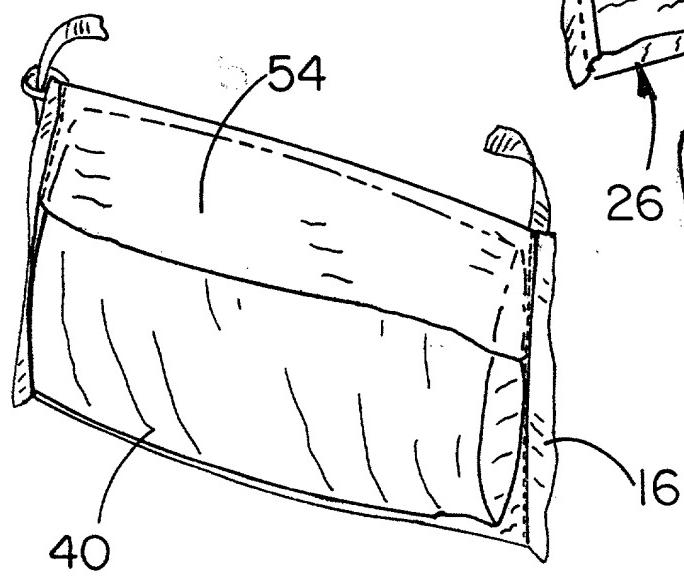


FIG. 4

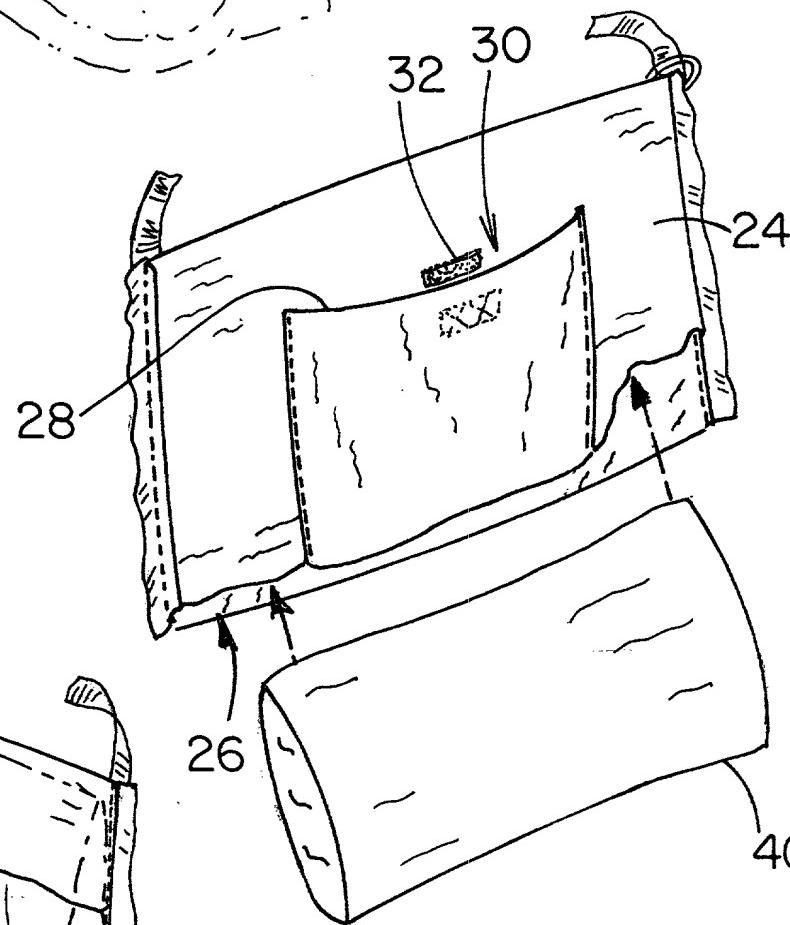
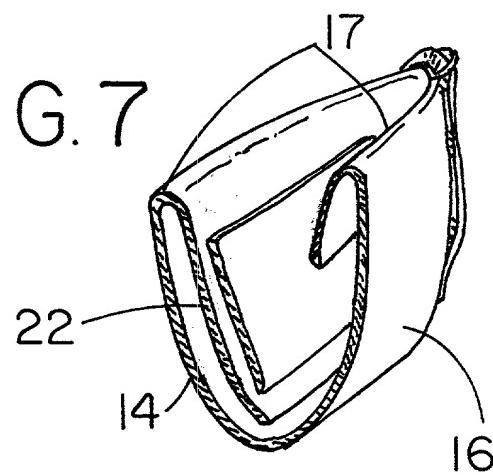
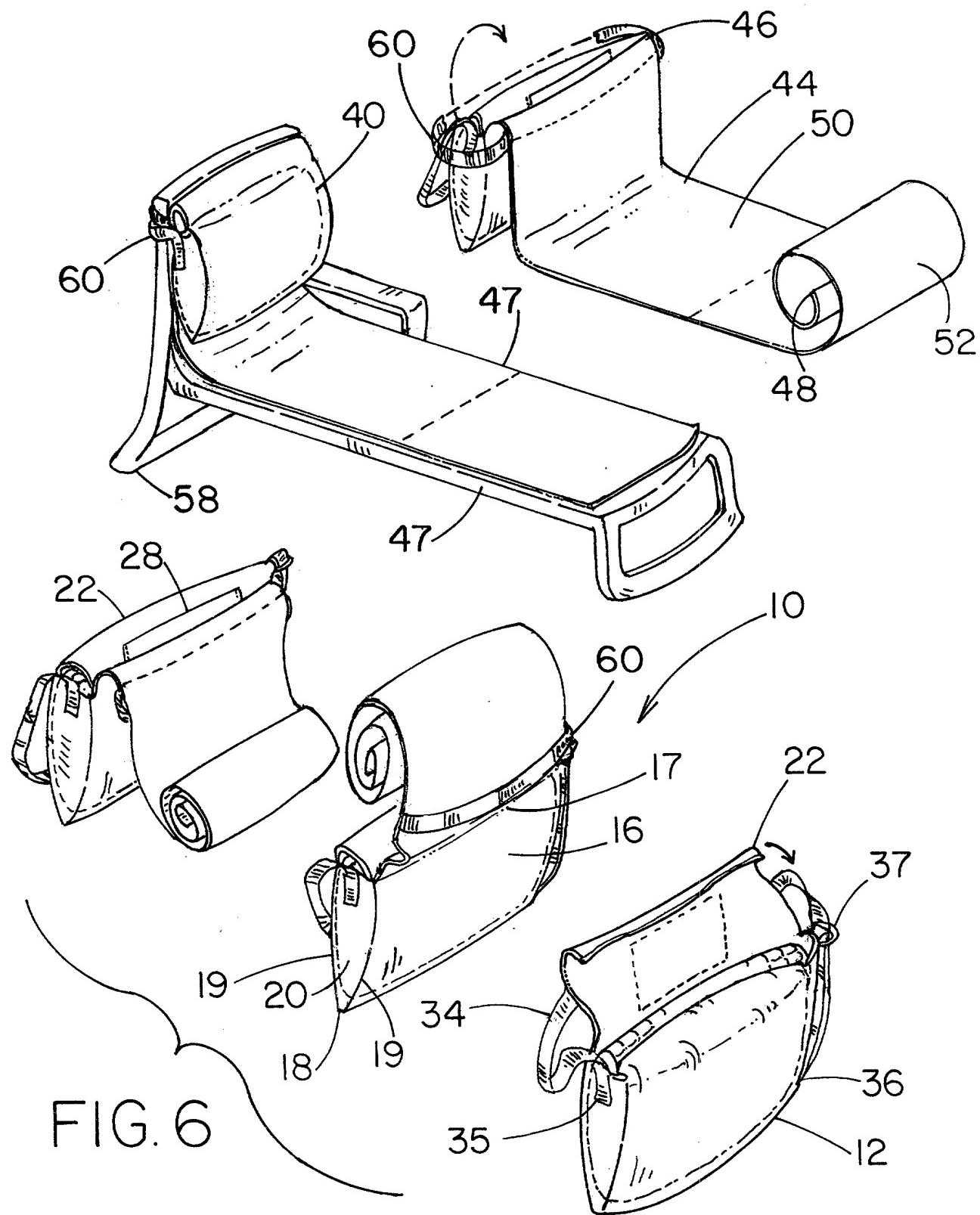


FIG. 7





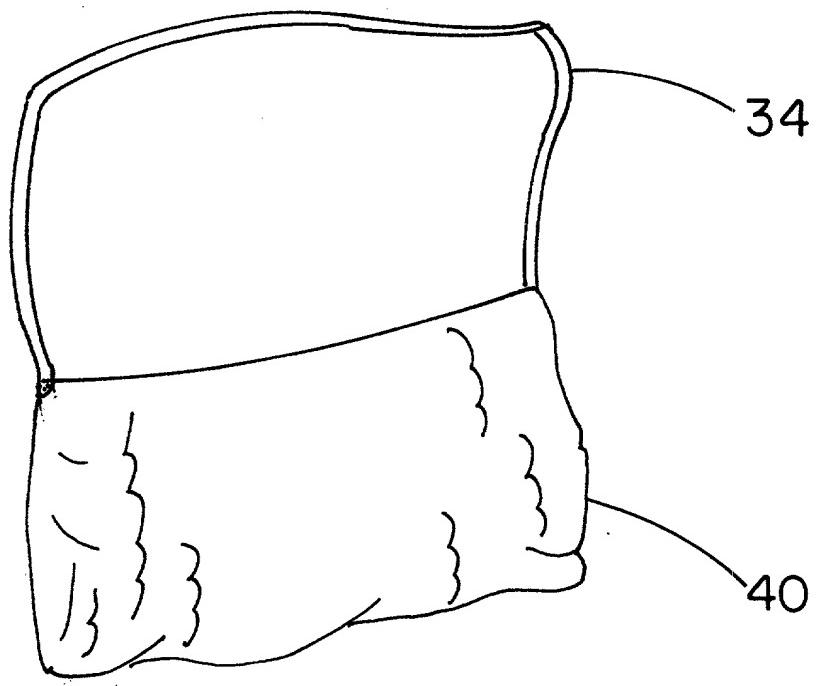


FIG. 8